

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

UNITED STATES OF AMERICA :

VS. : CRIMINAL NUMBER 19-00367-1

JOSEPH R. JOHNSON, JR. :

**UNOPPOSED MOTION TO ORDER COPIES OF
SEALED DOCUMENTS BE PROVIDED TO DEFENSE
BUT THAT DOCUMENTS REMAIN SEALED**

Joseph R. Johnson, Jr., by his attorney, Abigail E. Horn, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, respectfully requests the Court order that copies of sealed documents be provided to defense, but that the documents remain sealed. In support of this request, it is respectfully represented:

1. Joseph R. Johnson, Jr., was indicted in the Eastern District of Pennsylvania with false statements, in violation of 18 U.S.C. § 1001 (Count 1); aggravated identity theft, in violation of 18 U.S.C. § 1028A(a)(1), (c)(4) (Count 2); and aiding and abetting, in violation of 18 U.S.C. § 2. Mr. Johnson proceeded to trial before a jury and after three days was found guilty. He was sentenced on February 28, 2020, before Honorable Harvey Bartle, III, to imprisonment for 8 months on Count 1, to be followed by three years of supervised release; and imprisonment of 24 months on Count 2 (consecutively to Count 1), to be followed

by one year of supervised release. Mr. Johnson was also imposed a special assessment of \$200.00. Mr. Johnson was represented before the district court by Attorney David H. Clark.

2. On February 28, 2020, Mr. Clark filed a timely notice of appeal on behalf of Mr. Johnson.

3. On March 27, 2020, the Third Circuit issued an Order appointing the Federal Community Defender Office for the Eastern District of Pennsylvania to represent Mr. Johnson on appeal. Assistant Federal Defender Abigail E. Horn entered her appearance on April 27, 2020.

4. Defense counsel is in need of copies of the sealed documents listed as docket entries numbered 54, 55, 57, 68, 69, 80, 81, 84-86, 112, 113 and 118, in order to provide effective assistance on behalf of Mr. Johnson on appeal.

5. It is requested that copies of the requested docket entries filed under seal, be provided to defense counsel, but that the documents remain sealed due to the nature of their contents.

6. Assistant United States Attorney Linwood C. Wright, Jr., advises that the government has no objection to the Court granting the requested motion.

WHEREFORE, Joseph Johnson, Jr., by his attorney, respectfully requests that copies of the documents filed under seal and listed as docket entries numbered 54, 55, 57, 68, 69, 80, 81, 84-86, 112, 113 and 118, be ordered provided to defense counsel, but that the documents remain sealed.

Respectfully submitted,

/s/ Abigail E. Horn

ABIGAIL E. HORN

Assistant Federal Defender

CERTIFICATE OF SERVICE

I, Abigail E. Horn, Assistant Federal Defender, Federal Community Defender Office for the Eastern District of Pennsylvania, hereby certify that I have electronically filed and served a copy of the *Unopposed Motion to Order Copies of Sealed Documents be Provided to Defense but that Documents Remain Sealed upon Filing* User Linwood C. Wright, Jr., Assistant United States Attorney, through the District Court for the Eastern District of Pennsylvania's Electronic Case Filing (CM/ECF) system.

/s/ Abigail E. Horn
ABIGAIL E. HORN

Dated: May 28, 2020

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JOSEPH R. JOHNSON, JR.

ORDER

AND NOW, this _____ day of _____, 2020, upon

consideration of the defendant's *Unopposed Motion to Order Copies of Sealed Documents be Provided to Defense but that Documents Remain Sealed*, it is hereby ORDERED that copies of the documents filed under seal and listed as docket entries numbered 54, 55, 57, 68, 69, 80, 81, 84-86, 112, 113 and 118, be provided to defense counsel, but that the documents remain sealed.

BY THE COURT:

HONORABLE HARVEY BARTLE, III
United States District Court Judge